



Representative Louise M. Slaughter
Chairwoman, House Committee on Rules
Representing New York's 28th District

PRESS RELEASE

FOR IMMEDIATE RELEASE

Monday, April 14, 2008

□

Rep. Slaughter Calls On Army Corps Of

Engineers to Re-test Radiological Levels in
Tonawanda Landfill

Buffalo, NY – Congresswoman Louise M. Slaughter (D-NY-28), Chairwoman of the House Committee on Rules, last Friday issued a formal request that the U.S. Army Corps of Engineers conduct additional radiological testing within the Town of Tonawanda's landfill. While tests conducted on the site in 2001 indicated that radioactive exposure levels were within an acceptable range, additional testing is required to address concerns about gaps in the sampling methodology.

"The residents of Tonawanda have a right to know that the community where they live, work, and raise their children is not contaminated by harmful radioactive materials," said Rep. Slaughter. **"Previous testing of the landfill was simply invalid. The Army Corps of Engineers has an obligation to make certain that the site will pose no danger to public health."**

"I will continue to work to ensure that the Army Corps of Engineers lives up to its responsibility to safeguard the health and wellbeing of our community," Slaughter concluded.

BACKGROUND

The U.S. Army Corps Of Engineers (USACE) has been investigating the Tonawanda landfill since 1999 as part of the Formerly Utilized Sites Remedial Action Program (FUSRAP).

In 2001, the USACE conducted samplings on the site. The USACE determined that the exposure levels within the landfill were within an acceptable health range. However, not all of the land on the perimeter of the landfill was tested.

Based on the results of inaccurate samples, the USACE, early last year, released a plan for the landfill proposing that radioactive materials not be remediated, but capped and the landfill closed

In April 2007, Rep. Slaughter asked the USACE to review its findings and re-test along the landfill's perimeter to ensure that radioactive materials have not leached into neighboring private property. The Corps' final plan is expected as early as this year, prompting Rep. Slaughter to renew her request for re-testing.

The full text of Rep. Slaughter's most recent request for landfill re-testing can be found below:

April 11, 2008

Lt. Col John S. Hurley
District Commander
U.S. Army Corps of Engineers
Department of the Army
1776 Niagara Street
Buffalo, NY 14207

Dear Lieutenant Colonel Hurley,

I write to reaffirm my comments made last year to the U.S. Army Corps of Engineers (USACE) Lieutenant General Carl Strock requesting that the agency conduct additional radiological sampling within the Town of Tonawanda's landfill which is part of the Formerly Utilized Sites Remedial Action Program (FUSRAP) being conducted in my congressional district.

USACE Deputy Director Steven Stockton responded to my March 5, 2007 letter to Lieutenant General Strock, and assured me that in light of the scheduled public comment period, "the Corps will perform a comprehensive and thorough evaluation of your request and all other comments received, and make a determination whether additional sampling is necessary before we render a final decision for the site." Since I understand the USACE may render a final decision as soon as the end of this year, I request that you consider my request for additional sampling in earnest.

The last samplings on the site were conducted in 2001. Although the USACE's Remedial Investigation determined the exposure levels are within acceptable health ranges, there were gaps in the sampling areas. Specifically, not all areas of the landfill that abut its fence line perimeter near neighboring homes on Hackett Drive were included in previous samplings.

The need for additional testing is also underscored by the fact that during its 2001 sampling, the USACE was unable to locate some radioactive material in the Mudflats area that was originally found by the Department of Energy during sampling in the 1990's. It is presumed that during the intervening years various construction activities occurred in this area and moved, blended, or buried the contaminants. There is concern that other types of activity may have disrupted similar areas of contamination within other parts of the landfill.

I know the USACE's emphasis on maintaining public safety is its top priority and I appreciate your personal commitment to this ideal. The Buffalo District's record of successfully completing three FUSRAP sites and now investigating nine other areas in an efficient, safe, and responsible manner attests to this commitment. Therefore, in light of our mutual safety concerns I request the Army Corps conduct additional sampling within the landfill to not only ensure the accuracy of the Corps' current baseline risk assessment, but to fill in the gaps in sampling data to ensure local residents' safety. I thank you in advance for your continued assistance with this matter.

Sincerely,

Louise M. Slaughter

Member of Congress

###